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09/749,352	12/27/2000	Terri A. Carroll	F-112	5457

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EXAMINER

BASS, JON M

ART UNIT PAPER NUMBER

3629

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/749,352

Applicant(s)

CARROLL ET AL.

Examiner

Jon Bass

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20001227.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This office action is in response to System and Method for Batch Mail Processing.

### **Status of Claims**

2. Claims 1-8 have been examined.

### **Claim Rejections - 35 USC § 112**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1, 4, 6** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claim 1** is directed to a "mail batch process", however the body of the claims recites the process of the "web browser" and "web server" without any clear explanation of how the "mail batch processing" is conducted.

**Claim 4** is directed to a "postage metering ", however the body of the claims recites the process of a "web sever" and "web browser" without any clear explanation of how the "postage metering" is conducted.

**Claim 6** is directed to a “system for mail batch processing”, however, the body of the claims recites the process of a “web sever” and “web browser” without any clear explanation of how the “system for mail batch processing” is conducted.

**Claims 1, 4, 6** are rejected under 35 U.S.C. 112, second paragraph, as having relative terminology.

The term “operatively” in claims 1,4,6 is a relative term, which renders indefinite. The term “operatively” is not defined by the claim; the specification does not provide standard explanation of how “operatively” is relevant and how it relates to the invention which anyone skilled in the art would not be able to reasonably understand the scope of the invention.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 1-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham et al (2002/0046240), hereinafter referenced as Graham in further view of Solondz et al (US Patent No. 5,602,742), hereinafter referenced as Solondz.

**As for Claim 1:**

**Regarding claim 1**, Graham discloses a method for using a web browser-based shipping system comprising the steps of:

- (a) operatively connecting a meter to a client;
- (b) running a web browser program on said client for communicating with a web server; [fig 1; elements (108),(110); web server and web browser].
- (c) running a meter application on said web server; [pg 1; 0005, application on server]
- (d) entering a postage value for each mail piece of said mail batch into said web browser for setting said meter to a specific postal value;
- (e) displaying said meter batch value to a system on a web page; [fig 5; screen shot of application built on a web server], {pg 4, [0045], displaying data on user browser}.
- (f) processing said each one of said mail pieces at said meter; [pg 2; [0021], element (110),(104),(112), processing request]
- (g) updating said batch value and a piece count based upon said processing information. [pg 4; 0048, each request is checked].

Graham lacks connecting the meter to a client that obtains data from a server, displaying a meter value to a system and entering postage value then entering the data into an application system however, Solondz discloses a method for connecting a meter to a client, [fig 1; element (30) postage metering device and (76) host computer]. Solondz also discloses a method wherein entering a value for the mail pieces and then printing the value on the parcel [pg 7, 56-60].

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Grahams method in conjunction with Solondz system to

emulate a invention that deals with connecting a postage metering system while able to view it on a web page, which additionally verifies the products data and its origin.

**As for Claim 2:**

**Regarding claim 2,** Graham discloses a method wherein said batch value and said batch count are continually displayed on said web page during said batch processing [pg 2, 0022; display to user on web browser, fig 1; element 114], but lacks the postage amounts being displayed on the screen. Solondz discloses a method for where as after the postage amount has been calculated the information will be downloaded and viewed on a host computer [pg 9, 6-10].

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Grahams method in conjunction with Solaoze system to emulate a invention that deals with connecting a postage metering system while able to view it on a web page, which additionally verifies the products data and its origin.

**As for Claim 3:**

**Regarding claim 3,** Graham discloses a method wherein a final batch value and said batch count are displayed upon completion of said batch processing. [pg 4, 0050, access and resources may be checked] but lacks a method disclosing the postage amount, however Solondz discloses a method for where as after the postage amount has been calculated the information will be downloaded and viewed on a host computer [pg 9, 6-10].

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Grahams method in conjunction with Solaoze system to emulate a invention that deals with connecting a postage metering system while able to view it on a web page, which additionally verifies the products data and its origin.

**As for Claim 4:**

**Regarding claim 4**, Graham discloses a method for using a web browser-based shipping system comprising the steps of:

- (a) operatively connecting a meter to a client;
- (b) running a web browser program on said client for communicating with a web server; [fig 1; elements (108),(110); web server and web browser].
- (c) running a meter application on said web server; [pg 1; 0005, application on server]
- (d) entering a postage value for each mail piece of said mail batch into said web browser for setting said meter to a specific postal value;
- (e) displaying said meter batch value to a system on a web page; [fig 5; screen shot of application built on a web server], {pg 4, [0045], displaying data on user browser}.
- (f) processing said each one of said mail pieces at said meter; [pg 2; [0021], element (110),(104),(112), processing request]
- (g) updating said batch value and a piece count based upon said processing information. [pg 4; 0048, each request is checked].

Graham lacks connecting the meter to a client that obtains data from a server, displaying a meter value to a system and entering postage value then entering the data into an application system however, Solondz discloses a method for connecting a meter to a client, [fig 1; element (30) postage metering device and (76) host computer]. Solondz also discloses a method wherein entering a value for the mail pieces and then printing the value on the parcel [pg 7, 56-60].

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Grahams method in conjunction with Solondz system to

emulate a invention that deals with connecting a postage metering system while able to view it on a web page, which additionally verifies the products data and its origin.

**As for Claim 5:**

**Regarding claim 5**, Graham discloses a method wherein said script call is JAVASCRIPT [pg 1, (0005), Java application used to communicate with server (0021), using a Java-based technologies].

**As for Claim 6:**

**Regarding claim 6**, Graham discloses a system for mail batch processing using a web browser-based postal mail shipping system comprising:

- (a) a postage meter operatively connected to a client for performing a meter batch processing;
- (b) a web browser program running on said client for communicating with a web server; and
- (c) a postage meter application running on said web server, said postage meter application data processing a meter batch on said meter and continuously updating said batch values and said batch counts on said web browser. [fig1, elements (102), (106) (108), (110), (118), (122)].

Graham lacks postage metering operatively system, postage metering application and updating of data, however Solondz discloses a method wherein Solondz discloses a method for connecting a meter to a client, [fig 1; element (30) postage metering device and (76) host computer] and Solondz discloses a method for mail batching processing wherein including a postage metering device and a system for device utilization having an embedded program. [pg 4, lines 2-7]

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Grahams method in conjunction with Solondz system to emulate a invention that deals with connecting a postage metering system while able to view it on a web page, which additionally verifies the products data and its origin.



**As for Claim 7:**

**Regarding claim 7**, Graham discloses a method wherein said batch value and said batch count are continually displayed on said web page during said batch processing. [pg 2, 0022; display to user on web browser, fig 1; element 114].

**As for Claim 8:**

**Regarding claim 8**, wherein a final batch value and batch count are displayed upon completion of said batch processing. [pg 4, 0050, access and resources may be checked].

***Conclusion***

The prior art that was cited hasn't been used in conducting a decision but has been considered pertinent to the applicant's disclosure.

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at (703) 305-0383 between the hours of 9-6pm Monday through Friday. The fax number where the application is being process is (703) 872-9306.

If for any reason the examiner is unavailable, the immediate supervisor, **John Weiss** can be reached at (703) 308-2702.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

C/O Technology Center 3600

Washington, D.C. 20231

Or faxed to:

(703) 746-5532 (for formal or draft communications)

  
DENNIS RUHL  
PRIMARY EXAMINER